

grouped into practicable classifications by the Secretary (including swine or pork market formula purchases, other market formula purchases, and other purchase arrangements); and

“(B) the presence or absence of an accrual account or ledger that must be repaid by the producer or packer that receives the benefit of the contract pricing mechanism in relation to negotiated prices.

“(8) OTHER TERMS.—Except as provided in this subtitle, a term has the meaning given the term in section 212 or 231 of the Agricultural Marketing Act of 1946.

“SEC. 222. SWINE PACKER MARKETING CONTRACTS OFFERED TO PRODUCERS.

“(a) IN GENERAL.—Subject to the availability of appropriations to carry out this section, the Secretary shall establish and maintain a library or catalog of each type of contract offered by packers to swine producers for the purchase of all or part of the producers’ production of swine (including swine that are purchased or committed for delivery), including all available noncarcass merit premiums.

“(b) AVAILABILITY.—The Secretary shall make available to swine producers and other interested persons information on the types of contracts described in subsection (a), including notice (on a real-time basis if practicable) of the types of contracts that are being offered by each individual packer to, and are open to acceptance by, producers for the purchase of swine.

“(c) CONFIDENTIALITY.—The reporting requirements under subsections (a) and (b) shall be subject to the confidentiality protections provided under section 251 of the Agricultural Marketing Act of 1946.

“(d) INFORMATION COLLECTION.—

“(1) IN GENERAL.—The Secretary shall—

“(A) obtain (by a filing or other procedure required of each individual packer) information indicating what types of contracts for the purchase of swine are available from each packer; and

“(B) make the information available in a monthly report to swine producers and other interested persons.

“(2) CONTRACTED SWINE NUMBERS.—Each packer shall provide, and the Secretary shall collect and publish in the monthly report required under paragraph (1)(B), information specifying—

“(A) the types of existing contracts for each packer;

“(B) the provisions contained in each contract that provide for expansion in the numbers of swine to be delivered under the contract for the following 6-month and 12-month periods;

“(C) an estimate of the total number of swine committed by contract for delivery to all packers within the 6-month and 12-month periods following the date of the report, reported by reporting region and by type of contract; and

“(D) an estimate of the maximum total number of swine that potentially could be delivered within the 6-month and 12-month periods following the date of the report under the provisions described in subparagraph (B) that are included in existing contracts, reported by reporting region and by type of contract.

“(e) VIOLATIONS.—It shall be unlawful and a violation of this title for any packer to willfully fail or refuse to provide to the Secretary accurate information required under, or to willfully fail or refuse to comply with any requirement of, this section.

“(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as necessary to carry out this section.

“SEC. 223. REPORT ON THE SECRETARY’S JURISDICTION, POWER, DUTIES, AND AUTHORITIES.

“(a) DEFINITION OF PACKER.—In this section, the term ‘packer’ has the meaning given the term in section 201 of the Packers and Stockyards Act, 1921 (7 U.S.C. 191).

“(b) REPORT.—Not later than 90 days after the date of enactment of this subtitle, the Comptroller General of the United States shall provide to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report describing the jurisdiction, powers, duties, and authorities of the Secretary that relate to packers and other persons involved in procuring, slaughtering, or processing swine, pork, or pork products that are covered by this Act and other laws, including—

“(1) the Federal Trade Commission Act (15 U.S.C. 41 et seq.), especially sections 6, 8, 9, and 10 of that Act (15 U.S.C. 46, 48, 49, 50); and

“(2) the Agricultural Marketing Act of 1946 (7 U.S.C. 1621 et seq.).

“(c) CONTENTS.—The Comptroller General shall include in the report an analysis of—

“(1) burdens on and obstructions to commerce in swine, pork, and pork products by packers, and other persons that enter into arrangements with the packers, that are contrary to, or do not protect, the public interest;

“(2) noncompetitive pricing arrangements between or among packers, or other persons involved in the processing, distribution, or sale of pork and pork products, including arrangements provided for in contracts for the purchase of swine;

“(3) the effective monitoring of contracts entered into between packers and swine producers;

“(4) investigations that relate to, and affect, the disclosure of—

“(A) transactions involved in the business conduct and practices of packers; and

“(B) the pricing of swine paid to producers by packers and the pricing of products in the pork and pork product merchandising chain;

“(5) the adequacy of the authority of the Secretary to prevent a packer from unjustly or arbitrarily refusing to offer a producer, or disqualifying a producer from eligibility for, a particular contract or type of contract for the purchase of swine; and

“(6) the ability of the Secretary to cooperate with and enhance the enforcement of actions initiated by other Federal departments and agencies, or Federal independent agencies, to protect trade and commerce in the pork and pork product industries against unlawful restraints and monopolies.”.

SEC. 935. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this subtitle and the amendments made by this subtitle.

Subtitle D—Implementation

SEC. 941. REGULATIONS.

(a) IN GENERAL.—Not later than 180 days after the date of enactment of this Act, the Secretary of Agriculture shall publish final regulations to implement this title and the amendments made by this title.

(b) PUBLICATION OF PROPOSED REGULATIONS.—Not later than 90 days after the date of enactment of this Act, the Secretary shall publish proposed regulations to implement this title and the amendments made by this title.

(c) COMMENT PERIOD.—The Secretary shall provide an opportunity for comment on the proposed regulations during the 30-day period beginning on the date of the publication of the proposed regulations.

(d) FINAL REGULATIONS.—Not later than 60 days after the conclusion of the comment period, the Secretary shall publish the final

regulations and implement this title and the amendments made by this title.

SEC. 942. TERMINATION OF AUTHORITY.

The authority provided by this title and the amendments made by this title terminate 5 years after the date of enactment of this Act.

This Act may be cited as the “Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 2000”.

And the Senate agree to the same.

JOE SKEEN,
JAY DICKEY,
JACK KINGSTON,
HENRY BONILLA,
TOM LATHAM,
JO ANN EMERSON,
BILL YOUNG,
SAM FARR,
ALLEN BOYD,
DAVID R. OBEY,

Managers on the Part of the House.

THAD COCHRAN,
CHRISTOPHER S. BOND,
SLADE GORTON,
MITCH MCCONNELL,
CONRAD BURNS,
TED STEVENS,
HERB KOHL,
DIANNE FEINSTEIN,
ROBERT BYRD,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

By unanimous consent, the previous question was ordered on the conference report to its adoption or rejection.

Ms. KAPTUR moved to recommit the conference report on H.R. 1906 to the committee of conference.

By unanimous consent, the previous question was ordered on the motion to recommit.

The question being put, viva voce,

Will the House recommit said conference report?

The SPEAKER pro tempore, Mr. BE-REUTER, announced that the nays had it.

Ms. KAPTUR objected to the vote on the ground that a quorum was not present and not voting.

A quorum not being present,

The roll was called under clause 6, rule XX, and the call was taken by electronic device.

When there appeared { Yeas 187
Nays 228

¶106.12

[Roll No. 468]

YEAS—187

Abercrombie	Clayton	Ehrlich
Ackerman	Clement	Engel
Allen	Clyburn	English
Andrews	Condit	Eshoo
Baird	Conyers	Etheridge
Baldacci	Costello	Evans
Barcia	Coyne	Farr
Bartlett	Cramer	Fattah
Becerra	Crowley	Filner
Bentsen	Cummings	Foley
Berkley	Danner	Forbes
Bishop	Davis (FL)	Frank (MA)
Blagojevich	Davis (IL)	Franks (NJ)
Blumenauer	DeFazio	Gedensson
Boehlt	DeGette	Gephardt
Bonior	Delahunt	Gilman
Borski	DeLauro	Gonzalez
Boyd	Deutsch	Goodling
Brady (PA)	Dicks	Gordon
Brown (FL)	Dingell	Green (TX)
Brown (OH)	Dixon	Gutierrez
Capps	Doggett	Hastings (FL)
Cardin	Doyle	Hill (IN)

Hilliard	McCarthy (NY)	Roybal-Allard	Royce	Smith (TX)	Tiaht	LaHood	Pastor	Smith (MI)
Hinchey	McDermott	Sabo	Ryan (WI)	Snyder	Trafficant	Lampson	Pease	Smith (TX)
Hoeffel	McGovern	Sanchez	Ryun (KS)	Souder	Upton	Largent	Petri	Smith (WA)
Holden	McHugh	Sanders	Salmon	Spence	Walden	Latham	Phelps	Snyder
Holt	McIntyre	Sawyer	Sandlin	Stabenow	Walsh	LaTourette	Pickering	Souder
Hoyer	McKinney	Saxton	Sanford	Stearns	Wamp	Leach	Pickett	Spence
Inslee	McNulty	Schakowsky	Schaffer	Stenholm	Watkins	Lewis (CA)	Pombo	Spratt
Istook	Meehan	Serrano	Scott	Stump	Watts (OK)	Lewis (KY)	Pomeroy	Stabenow
Jackson (IL)	Meek (FL)	Sherman	Sensenbrenner	Stununu	Weldon (PA)	Linder	Porter	Stenholm
Jackson-Lee	Menendez	Sherwood	Sessions	Talent	Weller	Lucas (KY)	Portman	Strickland
(TX)	Millender-	Shows	Shadegg	Tancred	Wexler	Lucas (OK)	Price (NC)	Stump
John	McDonald	Shuster	Shaw	Tanner	Whitfield	Manzullo	Pryce (OH)	Talent
Johnson, E. B.	Miller, George	Skelton	Shays	Tauzin	Wicker	McCarthy (MO)	Radanovich	Tanner
Jones (OH)	Minge	Slaughter	Shimkus	Terry	Wilson	McCollum	Rahall	Tauzin
Kanjorski	Moakley	Smith (NJ)	Simpson	Thomas	Wise	McCrery	Ramstad	Terry
Kaptur	Moore	Smith (WA)	Sisisky	Thompson (CA)	Wolf	McInnis	Regula	Thomas
Kennedy	Moran (VA)	Spratt	Skeen	Thornberry	Young (AK)	McIntosh	Reyes	Thompson (CA)
Kildee	Murtha	Stark	Smith (MI)	Thune	Young (FL)	McIntyre	Riley	Thompson (MS)
Kilpatrick	Nadler	Strickland				McKeon	Rodriguez	Thornberry
King (NY)	Napolitano	Sweeney				Menendez	Roemer	Thune
Klink	Neal	Tauscher	Berman	Hinojosa	Scarborough	Metcalfe	Rogan	Tiaht
Kucinich	Norwood	Taylor (MS)	Boucher	Hooley	Stupak	Mica	Rogers	Towns
LaFalce	Oberstar	Thompson (MS)	Carson	Jefferson	Taylor (NC)	Miller, Gary	Ros-Lehtinen	Trafficant
Lampson	Oliver	Thurman	Chenoweth	Levin	Waxman	Minge	Ryan (WI)	Turner
Lantos	Ortiz	Tierney	Clay	Meeks (NY)	Weldon (FL)	Mink	Ryun (KS)	Udall (NM)
Larson	Owens	Toomey	Ford	Rush	Wu	Mollohan	Sabo	Walden
Lee	Pallone	Towns				Moore	Sanchez	Wamp
Lewis (GA)	Pascarell	Turner				Moran (KS)	Sandlin	Watkins
Lipinski	Pastor	Udall (CO)				Morella	Schaffer	Watt (NC)
LoBiondo	Payne	Udall (NM)				Myrick	Schakowsky	Watts (OK)
Lofgren	Pelosi	Velazquez				Scott	Nethercutt	Weller
Lowey	Peterson (MN)	Vento				Ney	Sessions	Wexler
Luther	Phelps	Visclosky				Northup	Shadegg	Whitfield
Maloney (CT)	Pomeroy	Vitter				Nussle	Shimkus	Wicker
Maloney (NY)	Price (NC)	Waters				Obey	Shows	Wilson
Markey	Rangel	Watt (NC)				Ortiz	Simpson	Wise
Martinez	Rivers	Weiner				Ose	Sisisky	Wolf
Mascara	Roemer	Weyand				Oxley	Skeen	Young (AK)
Matsui	Rothman	Woolsey				Packard	Skelton	Young (FL)
McCarthy (MO)	Roukema	Wynn						

NOT VOTING—18

So the motion to recommit the conference report to the committee of conference was not agreed to.

The question being put, viva voce,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. PEASE, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered.

The vote was taken by electronic device.

The question being put,

Will the House agree to said conference report?

The SPEAKER pro tempore, Mr. PEASE, announced that pursuant to clause 10 of rule XX the yeas and nays were ordered, and the call was taken by electronic device.

It was decided in the { Yeas 240
affirmative Nays 175

NAYS—228

Aderholt	Duncan	LaHood
Archer	Dunn	Largent
Armey	Edwards	Latham
Bachus	Ehlers	LaTourette
Baker	Emerson	Lazio
Baldwin	Everett	Leach
Ballenger	Ewing	Lewis (CA)
Barr	Fletcher	Lewis (KY)
Barrett (NE)	Fossella	Linder
Barrett (WI)	Fowler	Lucas (KY)
Barton	Frelinghuysen	Lucas (OK)
Bass	Frost	Manzullo
Bateman	Galleghy	McCollum
Bereuter	Ganske	McCrery
Berry	Gekas	McInnis
Biggert	Gibbons	McIntosh
Bilbray	Gilchrest	McKeon
Bilirakis	Gillmor	Metcalfe
Bliley	Goode	Mica
Blunt	Goodlatte	Miller (FL)
Boehner	Goss	Miller, Gary
Bonilla	Graham	Mink
Bono	Granger	Mollohan
Boswell	Green (WI)	Moran (KS)
Brady (TX)	Greenwood	Morella
Bryant	Gutknecht	Myrick
Burr	Hall (OH)	Nethercutt
Burton	Hall (TX)	Ney
Buyer	Hansen	Northup
Callahan	Hastings (WA)	Nussle
Calvert	Hayes	Obey
Camp	Hayworth	Ose
Campbell	Hefley	Oxley
Canady	Herger	Packard
Cannon	Hill (MT)	Paul
Capuano	Hilleary	Pease
Castle	Hobson	Peterson (PA)
Chabot	Hoekstra	Petri
Chambliss	Horn	Pickering
Coble	Hostettler	Pickett
Coburn	Houghton	Pitts
Collins	Hulshof	Pombo
Combest	Hunter	Porter
Cook	Hutchinson	Portman
Cooksey	Hyde	Pryce (OH)
Cox	Isakson	Quinn
Crane	Jenkins	Radanovich
Cubin	Johnson (CT)	Rahall
Cunningham	Johnson, Sam	Ramstad
Davis (VA)	Jones (NC)	Regula
Deal	Kasich	Reyes
DeLay	Kelly	Reynolds
DeMint	Kind (WI)	Riley
Diaz-Balart	Kingston	Rodriguez
Dickey	Kleczka	Rogan
Dooley	Knollenberg	Rogers
Doolittle	Kolbe	Rohrabacher
Dreier	Kuykendall	Ros-Lehtinen

[Roll No. 469]

YEAS—240

Abercrombie	Clement	Goode
Aderholt	Clyburn	Goodlatte
Archer	Coble	Gordon
Armey	Coburn	Goss
Bachus	Combest	Graham
Baker	Condit	Granger
Baldwin	Cook	Green (WI)
Barcia	Cooksey	Greenwood
Barrett (NE)	Costello	Gutknecht
Barrett (WI)	Cramer	Hall (OH)
Barton	Crowley	Hall (TX)
Bateman	Cubin	Hansen
Bentsen	Cunningham	Hastings (FL)
Bereuter	Danner	Hastings (WA)
Berkley	Davis (FL)	Hayes
Berry	Davis (VA)	Hayworth
Biggert	DeLay	Herger
Bilbray	DeMint	Hill (IN)
Bilirakis	Diaz-Balart	Hill (MT)
Bishop	Dickey	Hilleary
Blagojevich	Dooley	Hilliard
Bliley	Doolittle	Hobson
Blunt	Dreier	Horn
Boehner	Dunn	Hulshof
Bonilla	Edwards	Hunter
Bono	Emerson	Hutchinson
Boswell	Etheridge	Hyde
Boyd	Evans	Isakson
Brady (TX)	Everett	Jackson (IL)
Bryant	Ewing	Jenkins
Burton	Farr	John
Buyer	Fletcher	Johnson, E.B.
Callahan	Foley	Johnson, Sam
Calvert	Fowler	Jones (NC)
Camp	Frank (MA)	Kasich
Canady	Frost	Kind (WI)
Cannon	Galleghy	Kingston
Capps	Ganske	Kleczka
Capuano	Gibbons	Knollenberg
Chambliss	Gillmor	Kolbe
Clayton	Gonzalez	Kuykendall

NAYS—175

Ackerman	Gutierrez	Neal
Allen	Hefley	Norwood
Andrews	Hinchey	Oberstar
Baird	Hoeffel	Oliver
Baldacci	Hoekstra	Owens
Ballenger	Holden	Pallone
Barr	Holt	Pascarell
Bartlett	Hostettler	Paul
Bass	Houghton	Payne
Becerra	Hoyer	Pelosi
Blumenauer	Inslee	Peterson (MN)
Boehert	Istook	Peterson (PA)
Bonior	Jackson-Lee	Pitts
Borski	(TX)	Quinn
Brady (PA)	Johnson (CT)	Rangel
Brown (FL)	Jones (OH)	Reynolds
Brown (OH)	Kanjorski	Rivers
Burr	Kaptur	Rohrabacher
Campbell	Kelly	Rothman
Cardin	Kennedy	Roukema
Castle	Kildee	Roybal-Allard
Chabot	Kilpatrick	Royce
Collins	King (NY)	Salmon
Conyers	Klink	Sanders
Cox	Kucinich	Sanford
Coyne	LaFalce	Sawyer
Crane	Lantos	Saxton
Cummings	Larson	Sensenbrenner
Davis (IL)	Lazio	Serrano
Deal	Lee	Shaw
DeFazio	Lewis (GA)	Shays
DeGette	Lipinski	Sherman
Delahunt	LoBiondo	Sherwood
DeLauro	Lofgren	Shuster
Deutsch	Lowey	Slaughter
Dicks	Luther	Smith (NJ)
Dingell	Maloney (CT)	Stark
Dixon	Maloney (NY)	Stearns
Doggett	Markey	Sununu
Doyle	Martinez	Sweeney
Duncan	Mascara	Tancred
Ehlers	Matsui	Tauscher
Ehrlich	McCarthy (NY)	Taylor (MS)
Engel	McDermott	Thurman
English	McGovern	Tierney
Eshoo	McHugh	Toomey
Fattah	McKinney	Udall (CO)
Filner	McNulty	Upton
Forbes	Meehan	Velazquez
Fossella	Meek (FL)	Vento
Franks (NJ)	Millender-	Visclosky
Frelinghuysen	McDonald	Vitter
Gedjenson	Miller (FL)	Walsh
Gekas	Miller, George	Waters
Gephardt	Moakley	Weiner
Gilchrest	Moran (VA)	Weldon (PA)
Gilman	Murtha	Weyand
Goodling	Nadler	Woolsey
Green (TX)	Napolitano	Wynn